

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Jay S. Walker et al.)	Customer No.:	22827
)		
For:	METHOD AND SYSTEM FOR ALLOWING)	Examiner:	Not Assigned Yet
	VIEWERS TO PURCHASE PROGRAM)		
	PRODUCTS)		
)		
Serial No.:	Not Assigned Yet)	Group Art Unit:	Not Assigned Yet
)		
Filing Date:	February 23, 2000)	Docket No.:	96-082X

Assistant Commissioner for Patents
Washington, D.C. 20231



INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U.S. Patent No. 4,734,764 entitled "CABLE TELEVISION SYSTEM SELECTIVELY DISTRIBUTING PRE-RECORDED VIDEO AND AUDIO MESSAGES" issued to Pocock et al. on March 29, 1988.
- B. U.S. Patent No. 4,876,592 entitled "SYSTEM FOR MERCHANDISING AND THE EVALUATION OF RESPONSES TO BROADCAST TRANSMISSIONS" issued to Henry Von Kohorn on October 24, 1989.
- C. U.S. Patent No. 5,057,915 entitled "SYSTEM AND METHOD FOR ATTRACTING SHOPPERS TO SALES OUTLETS" issued to Henry Von Kohorn on October 15, 1991.
- D. U.S. Patent No. 5,189,630 entitled "METHOD FOR ENCODING AND BROADCASTING INFORMATION ABOUT LIVE EVENTS USING COMPUTER PATTERN MATCHING TECHNIQUES" issued to Barstow et al. on February 23, 1993.
- E. U.S. Patent No. 5,220,420 entitled "INTERACTIVE HOME INFORMATION SYSTEM FOR DISTRIBUTING COMPRESSED TELEVISION PROGRAMMING" issued to Hoarty et al. on June 15, 1993.
- F. U.S. Patent No. 5,438,355 entitled "INTERACTIVE SYSTEM FOR PROCESSING VIEWER RESPONSES TO TELEVISION PROGRAMMING" issued to Shelton L. Palmer on August 1, 1995.
- G. U.S. Patent No. 5,469,206 entitled "SYSTEM AND METHOD FOR AUTOMATICALLY CORRELATING USER PREFERENCES WITH ELECTRONIC SHOPPING INFORMATION" issued to Strubbe et al. on November 21, 1995.
- H. U.S. Patent No. 5,475,585 entitled "TRANSACTIONAL PROCESSING SYSTEM" issued to Thomas A. Bush on December 12, 1995.
- I. U.S. Patent No. 5,485,221 entitled "SUBSCRIPTION TELEVISION SYSTEM AND TERMINAL FOR ENABLING SIMULTANEOUS DISPLAY OF MULTIPLE SERVICES" issued to Banker et al. on January 16, 1996.
- J. U.S. Patent No. 5,539,450 entitled "METHODS AND SYSTEMS FOR PROVIDING ADDITIONAL SERVICE APPLICATIONS IN PAY TELEVISION" issued to Doron Handelman on July 23, 1996.

- K. U.S. Patent No. 5,553,221 entitled "SYSTEM AND METHOD FOR ENABLING THE CREATION OF PERSONALIZED MOVIE PRESENTATIONS AND PERSONALIZED MOVIE COLLECTIONS" issued to Reimer et al. on September 3, 1996.
- L. Greiff, James, "Rivals hope to share TV jackpot", St Petersburg Times, View Related Topics; May 31, 1987; City Edition; Section: Business; Pg. 11. (re: "Entertainment Marketing).
- M. Abramson, Dan, "Comedy Soap with home shop tie-in underway at CDN, Cable TV Network; EMI may sell its interest; K mart still in", DM News; October 1, 1987; Section: Pg. 10.
- N. U.S. Patent No. 5,559,949 entitled "COMPUTER PROGRAM PRODUCT AND PROGRAM STORAGE DEVICE FOR LINKING AND PRESENTING MOVIES WITH THEIR UNDERLYING SOURCE INFORMATION" issued to Reimer et al. on September 24, 1996.
- O. U.S. Patent No. 5,564,001 entitled "METHOD AND SYSTEM FOR INTERACTIVELY TRANSMITTING MULTIMEDIA INFORMATION OVER A NETWORK WHICH REQUIRES A REDUCED BANDWIDTH" issued to Scott W. Lewis on October 8, 1996.
- P. U.S. Patent No. 5,570,295 entitled "SYSTEM AND METHOD OF CAPTURING ENCODED DATA TRANSMITTED OVER A COMMUNICATIONS NETWORK IN A VIDEO SYSTEM" issued to Isenberg et al. on October 29, 1996.
- Q. U.S. Patent No. 5,596,705 entitled "SYSTEM AND METHOD FOR LINKING AND PRESENTING MOVIES WITH THEIR UNDERLYING SOURCE INFORMATION" issued to Reimer et al. on January 21, 1997.
- R. U.S. Patent No. 5,703,795 entitled "APPARATUS AND METHODS FOR ACCESSING INFORMATION RELATING TO RADIO AND TELEVISION PROGRAMS" issued to Roy J. Mankovitz on December 30, 1997.
- S. U.S. Patent No. 5,715,400 entitled "SYSTEM AND METHOD FOR PROVIDING MERCHANT INFORMATION AND ESTABLISHING LINKS TO MERCHANTS WHILE PRESENTING A MOVIE" issued to Reimer et al. on February 3, 1998.

- U. Bird, Laura, "ABC tries to cash in on night shopping", *Wall Street Journal*, November 13, 1992; Section: Section B; Pg.1; Column 4.
- V. White, Todd, "This guy is really connected: IDB Communications' Jeffrey Sudikoff links farflung sites via satellites, fiber-optic cables", *The Los Angeles Business Journal*, January 25, 1993; Section: Vol. 15; No. 4; Sec 1; Pg. 16.
- W. Kelly, Katy, "Programming the Profits at QVC", *USA Today*, June 10, 1993; Pg. 3D.
- X. Andrews, Paul, "Paul Allen's ticket to future", *The Seattle Times*, November 23, 1993; Section: Business; Pg. E1.
- Y. Chuck Ross et al., "Can we hawk? A work in progress, Joan Rivers' "Can we shop" wants to define new paradigms for TV advertising; teleshopping", *Inside Media*, March 16, 1994; Section: Pg. 1; ISSN: 1046-5316.
- Z. Sherman, Stratford, "Will the information superhighway be the death of retailing?", *Fortune Magazine*, April 18, 1994; Section: Information Technology; Pg. 98.
- AA. "Sound Bites", *News Tribune*, March 2, 1995; Section: SoundLife; Pg. SL2.
- BB. "Shower Power", *The Boston Herald*, March 2, 1995; Section: Television; Pg. 047.
- CC. Hopkins, Tom, "Cincinnatians devise home-shopping sitcom", *The Dayton Daily News*, March 6, 1995; Section: Lifestyle; Pg. 10B.
- DD. Kiesewetter, John, "Shopping News", *The Cincinnati Enquirer*, March 25, 1995; Section: Tempo; Pg. C06.
- EE. "Company's 21st century marketing strategy propels clients to higher profits", March 14, 1996; (<http://www.shop-the-net.com/misc/press.html>).
- FF. "Interactive Multimedia Network: 21st century marketing strategy propels clients to higher profits", *M2 Presswire*, April 9, 1996.
- GG. "Shop-the-Net", Family Web Site gains national awareness to raise the awareness level of "Shop-the-Net"; (<http://www.shop-the-net.com/logos/tv.html>).

1. ☐ Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
08/729,426	Walker et al.	October 10, 1996	2771	
08/821,436	Walker et al.	March 21, 1997	2711	
08/886,006	Walker et al.	July 3, 1997	2711	

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

5. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
6. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action),

and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
 - ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
 - ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.
10. ☐ I hereby certify:
- ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

- ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

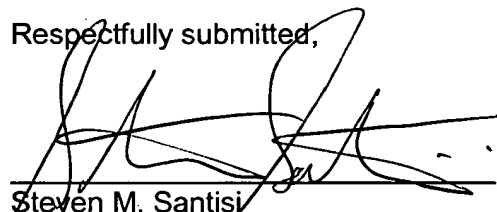
11. ☐ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

February 11, 2000
Date

Respectfully submitted,


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- ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11. ☐ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
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12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

February 21, 2000
Date

Respectfully submitted,


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